IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

Tr.P(C).No. 132 of 2007()

(AGAINST O.P.NO: 117/07 & M.C.31/07 OF FAMILY COURT, KOTTAYAM)

PETITIONER

SUNIMON MATHEW, S/O.M.MATHEW, AGED 30
RESIDING AT MAVELIL S.VILLA @ VITHUPASSERIL
THIRUVALLA TALUK, KAVIYOOR VILLAGE.

BY ADV. SRI.R.GIREESH VARMA

RESPONDENTS:

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1. SAJANY ANTONY, D/O.ANTONY,
PUTHENPARAMPIL HOUSE, FATHIMAPURAM PO
CHANGANACHERRY TALUK.

2. MATHEW @ ACHENKUNJU, AGED 68 YEARS,
RESIDING AT MAVLEIL HOUSE @ VITHUPPASSERIL
HOUSE, KAVIYOOR PO, KAVIYOOR VILLAGE.

3. LEELAMMA MATHEW,
W/O.MATHEW, AGED 60 YEARS, RESIDING AT
MAVELIL HOUSE @ VITHUPPASSERIL HOUSE,
KAVIYOOR PO, KAVIYOOR VILLAGE.

4. MINI MATHEW,
W/O.SAJU, AGED 24 YEARS, RESIDING AT
MAVELIL HOUSE @ VITHUPPASSERIL HOUSE,
KAVIYOOR PO, KAVIYOOR VILLAGE.

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

Tr.P.C.No. 132 OF 2007

Dated this the 13th June, 2007.

JUDGMENT

This transfer petition is filed by the husband who has filed O.P.99/07 before the Family Court, Thiruvalla for restitution of conjugal rights. It is averred that the wife has filed an O.P against the husband and his parents and sister for return of value of the gold ornaments and also for maintenance and they are pending as O.P.117/07 and M.C.31/07 before the Family Court at Ettumanoor. It is submitted by the learned counsel for the petitioner that so far as both parties are concerned Family Court, Thiruvalla is nearer and that the father of the transfer petitioner is suffering from serious ailment and it will be difficult for him to travel to Ettumanoor. It is also submitted that there is a difference of about 25 to 30 kms. distance. Further, learned counsel for the petitioner submits that there is a likelihood of settlement and other side has also no objection in transferring the case. Taking into consideration all these submissions together, I am effecting a transfer of O.P.117/07 and M.C.31/07 pending before the Family Court, Ettumanoor to the Family Court, Thiruvalla where O.P.99/07 is pending. Transfer petition

is disposed of accordingly and the Family Court at Ettumanoor is directed to give notice of transfer to the petitioner as well as the respondents before effecting transfer.

M.N.KRISHNAN
Judge

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